IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27461 of 2007(T)

PETITIONERS:
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1. **S.BINDU, AGED 35 YEARS, W/O.ASHOKAN, KEEPALLIL (BHASKARA VILASAM), VETTIKAVALA, KOTTARAKKARA TALUK, KOLLAM DISTRICT.**

2. **JYOTHILAKSHMI, AGED 30 YEARS, W/O.VIKRAMAN, JYOTHI VILASAM, VETTIKAVALA MURI, KOTTARAKKARA, KOLLAM DISTRICT.**

BY ADV. SRI.ABRAHAM SAMSON,
SMT.LOVELY SAMSON.

RESPONDENTS:
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1. **THE SUPERINTENDENT OF POLICE, KOLLAM.**

2. **THE DEPUTY SUPERINTENDENT OF POLICE, CRIME DETACHMENT, KOLLAM.**

3. **THE CIRCLE INSPECTOR OF POLICE, PUNALLUR.**

4. **THE SUB INSPECTOR OF POLICE, KUNNIKKODE, KOLLAM DISTRICT.**

BY GOVT. PLEADER SRI. SALIM.P.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

prv.

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 27461 OF 2007-T

Dated 19th September, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioners are house wives. They are the wives of accused 1 and 3 respectively in Crime No.357/2007. It is a case of sale of illicit liquor, which resulted in the death of three persons and hospitalisation of 16. The allegation of the petitioners is that the investigating officer concerned is harassing them. They are made to sit in the Police Station from 10 a.m to 10 p.m under the guise of questioning. They are being threatened also, it is alleged. Therefore, this writ petition is filed, seeking a direction to respondents 2 to 4 not to harass them.

2. The learned Government Pleader, upon instructions, submitted that all the allegations of the petitioners are incorrect. The vehicle belonging to the 1st petitioner was used for transporting the illicit liquor. She is also a privy to the activities of her husband, who is the 1st accused in the case. All these allegations are made to demoralise the police from properly

investigating the case, it is submitted. The learned counsel for the petitioners reiterated the submissions made in this writ petition, which are already mentioned above.

3. The police is bound to investigate properly into the aforementioned offence. So, they can summon and question all persons who may be able to give material information regarding the commission of the crime. They can also search their premises, from which they think, they can collect evidence also. Such actions cannot be described as illegal or unauthorised. But, the petitioners being ladies, the police shall ensure that summoning and questioning shall be done strictly in accordance with the provisions of law only. If their presence is required, the police may issue notice to them and in that event the petitioners shall appear before the police, so that the complaint of taking them by force to the Police Station can be avoided. The submission of the learned Government Pleader that the police have not harassed the petitioners and that the investigation including questioning of the petitioners will be carried out only in accordance with law, is recorded.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/